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September 4, 2015

Hon. Kimba Wood
U.S. District Court Judge
U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: The Estate of Virginia Venable Rapp Merrill Lynch Trust Company, FSB,
Bank of America Corporation, Case#15-v-02081(KW)
Plaintiff's 2nd Letter Motion for Final Modification of Briefing Schedule Based upon Counsel's
Illness

Dear Judge Wood:

I am plaintiff's counsel. Peter Neger of Morgan Lewis and Bockius LLP represents the
defendants Merrill Lynch Trust Company, FSB, and Bank of America Corporation.

Your Honor has granted a prior modification of the Briefing schedule (Doc.25 7-14-15) as
follows based upon counsels illness:

Responses due 9/09/15

Replies by 10/09/15.

During the interval, I have undergone a 2nd surgical back procedure with rehabilitation now
indicated. The letter of Michael Jacobson, M.D. of September 3, 2015 annexed verifies the
severe medical condition at present. This application for modification is made based upon doctor
recommended limited work schedule. To ensure completion of plaintiff's opposition by the
proposed date of October 2nd my son's law firm of Morrison-Tennenbaum has agreed to be co-
counsel in the case.

Counsel has e-mailed Mr. Neger suggesting September 30th who consents to an extension not to
my proposed date for Reply of October 20th but November 4th. His explanatory e-mail is
annexed below that scheduling issues in his office requires October 20th.

If the Court permits and to accommodate Mr. Neger's scheduling issues, counsel suggests the
following Final Modified Briefing Schedule based upon counsel's illness
Plaintiff's Opposition to be filed and served October 2d, 2015. No further extensions
Defendants' Reply to be filed and served November 4, 2015

Respectfully submitted,
/s/ Arthur Morrison
Arthur Morrison

Encl: Letter Michael Jacobson M.D dated September 3, 2015

cc:

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Dear Arthur:

Again, I'm very sorry that you are still not functioning at 100%.

Assuming the Court agrees, the defendants have no objection to your requested extension until September 30 to respond to our motions to dismiss and to strike the class allegations of the complaint. However, your request for an additional extension impacts other matters in which we are involved and we will not be able to complete our replies to your responses by October 20, as you propose. Instead, because of our other professional commitments, we would require an extension of our time to reply to your responses until **November 4, 2015**. Therefore, if you request an additional extension from the Court, kindly include in your proposed schedule a reply deadline of November 4.

If the Court is unable or unwilling to grant the defendants the additional time that we require as a result of your multiple extensions, I am afraid that we will be unable to consent to your requested extension.

If you have any questions about the defendants' position, please call my cellphone today so we can discuss it.

Again, I hope you continue to feel better. I know it's been a long road for you and that you are eager to get back to your work.

Best wishes for a restful Labor Day weekend.

Peter